

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**KERLIN J. BELLOT,**  
**Plaintiff**

**v.**

**BUREAU OFFICER SLOCUM,**  
**Defendants**

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**No. 1:18-cv-00849**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 25th day of June 2018, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

1. Plaintiff's motion to proceed in forma pauperis (Doc. No. 2), construed as a motion to proceed without full prepayment of fees and costs, is **GRANTED**;
2. Plaintiff's complaint (Doc. No. 1), is **DISMISSED** in part as follows: Plaintiff's Due Process claim in relation to the denial of a job is dismissed for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and without leave to amend;
3. The remaining claim in this action is Plaintiff's First Amendment retaliation claim against Defendant Slocum;
4. The Clerk of Court is specially appointed to serve a copy of Plaintiff's complaint, notice of lawsuit and request for waiver of service of summons, waiver, and this Order, upon Defendant. The Court requests that Defendant cooperate in efforts to simplify case administration by waiving service pursuant to Fed. R. Civ. P. 4(d). The waiver request shall inform Defendant both of the consequences of compliance and of failure to comply with the requests. Defendant is permitted 30 days from the date the waiver request is sent (60 days if addressed outside any judicial district of the United States) to return the signed waiver or electronically file it in the Court's Electronic Case Filing (ECF) system. If a signed waiver is not returned or electronically filed within the required time, an order shall be issued directing the Clerk's office to transmit the summons and a copy of the complaint to the U.S. Marshals Service for immediate service under Fed. R. Civ. P. 4(c)(1);
5. The Court must have the complete name and address for each and every Defendant named in the complaint in order to effect service. Any Defendant not properly identified will not be served. Therefore, if the complaint lists unknown Defendants or Defendants without proper mailing addresses, the Plaintiff shall provide to the Clerk's Office, the completed required Notice of Waiver of Summons, Waiver of Summons,

and USM 285 forms, for each Defendant that cannot be properly served (unless the properly completed forms were sent to the Clerk with the complaint). If the Plaintiff does not have sufficient copies of the form to prepare one for each Defendant, he or she may obtain additional forms from the Clerk of Court. On this form the Plaintiff must give the full name and complete address of each individual Defendant. If Plaintiff fails to give the Clerk's Office correct instructions for mailing to any Defendant, his claims against that Defendant may be dismissed pursuant to Federal Rule of Civil Procedure 4(m). The Plaintiff is further advised that no Defendant is required to respond to the complaint until he or she has accepted a copy of the complaint and waived service, or has been served. Therefore, a motion for default cannot properly be filed unless the defendant has failed to file an answer, a motion to dismiss, or a motion for additional time to respond, within sixty (60) days after the notice has been mailed (if service is waived pursuant to the notice) or twenty-one (21) days after being served the summons and complaint by the United States Marshal Service, which will be done for defendants who do not waive service;

6. The Plaintiff shall immediately advise the Court of any change in address. Failure to do so may result in dismissal for failure to prosecute if the Court and other parties are unable to serve pleadings, orders and other documents.

s/ Yvette Kane

Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania